

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LI LAN LI and LYDIA LEUNG as  
representatives of all people similarly  
situated,

SUMMONS IN A CIVIL ACTION

08 CV 3867

v.

CASE NUMBER:

**JUDGE CHIN**

CABLE NEWS NETWORK a/k/a CNN,  
TURNER BROADCASTING SYSTEM,  
INC. and JACK CAFFERTY.

TO: (Name and Address of Defendant)  
CABLE NEWS NETWORK a/k/a CNN,  
TURNER BROADCASTING SYSTEM,  
INC. and JACK CAFFERTY.

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S  
ATTORNEY (name and address)

Law Office of Ming Hai, P.C.  
36-09 Main Street, Suite 7B  
Flushing, New York 11354  
(718)-455-9111

an answer to the complaint which is served on you with this summons, within  
30 days after service of this summons on you, exclusive of the day of  
service. If you fail to do so, judgment by default will be taken against you for the relief  
demanded in the complaint. Any answer that you serve on the parties to this action must  
be filed with the Clerk of this Court within a reasonable period of time after service.

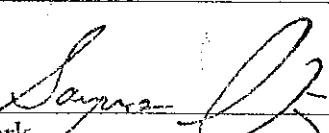
**J. MICHAEL McMAHON**

APR 24 2008

Clerk

Date

Deputy Clerk



AO 440 (Rev. 8/01) Summons in a Civil Action

## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER (PRINT)	TITI E

*Check one box below to indicate appropriate method of service* Served personally upon the defendant. Place where served: / eIt FRSieVtKeURI D tKe defendDnt'Vdwe@ng KRU@ R@usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

 Returned unexecuted: Other (specify):

## STATEMENT OF SERVICE FEES

TRAVEI	SERVICES	TOTAL
		\$0.00

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_  
 Date \_\_\_\_\_  
 Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

JS 44C/SDNY  
REV. 12/2005

**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**PLAINTIFFS**

PLAINTIFFS  
Lulan Li, Lydia Leung as  
representatives of all people similarly situated  
ATTORNEYS: JUDY L. JAMES AND STEPHEN AND TOLER BROWN, JR., NUMBER

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Law Office of Ming Hay, P.C.

36-09 MAIN STREET, SUITE 7B, FLushing, NY 11354 (718)445-9111

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

## DEFAMATION

## INTENTIONAL/RECKLESS INFILTRATION OF EMOTIONAL DISTRESS

Has this or a similar case been previously filed in SDNY at any time? No  Yes?  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

(PLACE AN [x] IN ONE BOX ONLY)

**NATURE OF SUIT**

#### ACTIONS UNDER STATUTES

CONTRACT		TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
		PERSONAL INJURY	PERSONAL INJURY	[ ] 610 AGRICULTURE	[ ] 422 APPEAL	[ ] 400 STATE			
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY	[ ] 620 FOOD & DRUG	28 USC 158	[ ] 410 ANTITRUST				
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT LIABILITY	[ ] 365 PERSONAL INJURY	[ ] 625 DRUG RELATED	SEIZURE OF	[ ] 423 WITHDRAWAL	[ ] 430 BANKS & BANKING			
[ ] 130 MILLER ACT	[ ] 320 ASSAULT, LIBEL & SLANDER	[ ] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[ ] 630 LIQUOR LAWS	PROPERTY	28 USC 157	[ ] 450 COMMERCE/ICC	RATES/ETC		
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY	[ ] 370 OTHER FRAUD	[ ] 640 R& TRUCK	21 USC 801	[ ] 820 COPYRIGHTS	[ ] 460 DEPORTATION			
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 340 MARINE PERSONAL PROPERTY	[ ] 371 TRUTH IN LENDING	[ ] 650 AIRLINE REGS	LIABILITY	[ ] 830 PATENT	[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)			
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT LIABILITY	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE	[ ] 660 OCCUPATIONAL SAFETY/HEALTH	[ ] 840 TRADEMARK		[ ] 480 CONSUMER CREDIT			
[ ] 152 RECOVERY OF DEFALTED STUDENT LOANS (EXCL VETERANS)	[ ] 350 MOTOR VEHICLE PRODUCT LIABILITY	[ ] 385 MOTOR VEHICLE PRODUCT LIABILITY	[ ] 690 OTHER			[ ] 490 CABLE/SATELLITE TV			
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS	[ ] 360 OTHER PERSONAL INJURY	[ ] 395 PROPERTY DAMAGE PRODUCT LIABILITY				[ ] 810 SELECTIVE SERVICE			
[ ] 160 STOCKHOLDERS SUITS						[ ] 850 SECURITIES/ COMMODITIES/ EXCHANGE			
[ ] 160 OTHER CONTRACT						[ ] 875 CUSTOMER CHALLENGE			
[ ] 195 CONTRACT PRODUCT LIABILITY						12 USC 3410			
[ ] 196 FRANCHISE						[ ] 891 AGRICULTURE ACTS			
		ACTIONS UNDER STATUTES				[ ] 892 ECONOMIC STABILIZATION ACT			
		CIVIL RIGHTS	PRISONER PETITIONS	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 861 MIA (1395FF)	[ ] 893 ENVIRONMENTAL MATTERS			
				[ ] 720 LABOR/MGMT RELATIONS	[ ] 862 BLACK LUNG (923)	[ ] 894 ENERGY ALLOCATION ACT			
				[ ] 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	[ ] 863 DIWC (405(g))	[ ] 895 FREEDOM OF INFORMATION ACT			
				[ ] 740 RAILWAY LABOR ACT	[ ] 863 DIWW (406(g))	[ ] 900 APPEAL OF DETERMINATION UNDER EQUAL ACCESS TO JUSTICE			
				[ ] 790 OTHER LABOR LITIGATION	[ ] 864 SSID TITLE XVI	[ ] 950 CONSTITUTIONALITY OF STATE STATUTES			
					[ ] 865 RSI (405(g))	[ ] 890 OTHER STATUTORY ACTIONS			
REAL PROPERTY				[ ] 791 EMPL RET INC SECURITY ACT	[ ] 870 TAXES				
					[ ] 871 IRS-THIRD PARTY				
					20 USC 7609				
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING	[ ] 510 MOTIONS TO VACATE SENTENCE							
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT	28 USC 2255							
[ ] 230 RENT LEASE & EJECTMENT	[ ] 443 HOUSING ACCOMMODATIONS	[ ] 530 HABEAS CORPUS							
[ ] 240 TORTS TO LAND	[ ] 444 WELFARE	[ ] 535 DEATH PENALTY							
[ ] 246 TORT PRODUCT LIABILITY	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 540 MANDAMUS & OTHER							
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 550 CIVIL RIGHTS							
		[ ] 440 OTHER CIVIL RIGHTS	[ ] 555 PRISON CONDITION						

*Check if demanded in complaint:*

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ 1.3 billion OTHER

JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

*Check YES only if demanded in complaint*  
JURY DEMAND:  YES  NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

## ORIGIN

1 Original Proceeding  2a. Removed from  3 Remanded from  4 Reinstated or Reopened  5 Transferred from  6 Multidistrict Litigation  7 Appeal to District Judge from Magistrate Judge Judgment

2b. Removed from State Court Appellate Court

AND at least one party is a pro se litigant

(PLACE AN X IN ONE BOX ONLY)

## BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.  
(28 USC 1332, 1441)

1 U.S. PLAINTIFF  2 U.S. DEFENDANT  3 FEDERAL QUESTION  4 DIVERSITY  
(U.S. NOT A PARTY)

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE <input checked="" type="checkbox"/> [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY <input type="checkbox"/> [ ] 2	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE <input type="checkbox"/> [ ] 3	PTF DEF <input type="checkbox"/> [ ] 5 <input checked="" type="checkbox"/> [ ] 6
CITIZEN OF ANOTHER STATE <input type="checkbox"/> [ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE <input checked="" type="checkbox"/> [ ] 4	FOREIGN NATION <input type="checkbox"/> [ ] 6	PTF DEF <input type="checkbox"/> [ ] 5 <input type="checkbox"/> [ ] 6

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

LILAN LI, @ XIZHIMEN NANDA STREET, BEIJING, CHINA

LYDIA LEUNG, 126 Lafayette Street, #2F, New York, NY 10013

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

1 TIME WARNER CENTER, NEW YORK, NEW YORK

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  FOLEY SQUARE  
(DO NOT check either box if this a PRISONER PETITION.)

DATE SIGNATURE OF ATTORNEY OF RECORD

APRIL 17, 2008



ADMITTED TO PRACTICE IN THIS DISTRICT

 NO

YES (DATE ADMITTED Mo. \_\_\_\_\_)

Attorney Bar Code # MH 8849 Yr. \_\_\_\_\_

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

J Michael McMahon, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

JS 44C/SDNY  
REV. 12/2005

**CIVIL COVER SHEET**

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108 CY 3867

**PLAINTIFFS** Lilan Li, Lydia Leung as representatives of all people similarly situated

DEFENDANTS Jack Cafferty and Cable News Network aka CNN

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Law Office of Ming Hai, PC  
36-09 Main St. #7B, Flushing NY 11354 (718) 445 9111

**ATTORNEYS (IF KNOWN)**

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
Defamation;  
Intentional/Reckless Infliction of Emotional Distress

Has this or a similar case been previously filed in SDNY at any time? No  Yes?  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date & Case No.

(PLACE AN [x] IN ONE BOX ONLY)

#### NATURE OF SUIT

#### ACTIONS UNDER STATUTES

CONTRACT		TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
PERSONAL INJURY		PERSONAL INJURY			
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	<input type="checkbox"/> 610 AGRICULTURE	<input type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 400 STATE REAPPORTIONMENT
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY - PRODUCT LIABILITY	<input type="checkbox"/> 620 FOOD & DRUG	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 130 MILLER ACT	<input checked="" type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	<input type="checkbox"/> 625 DRUG RELATED SEIZURE OF PROPERTY	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT	<input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY	<input type="checkbox"/> 340 MARINE LIABILITY	<input type="checkbox"/> 21 USC 881 LIQUOR LAWS	<input type="checkbox"/> 28 USC 157 PROPERTY RIGHTS	<input type="checkbox"/> 450 COMMERCE/ICC RATES/ETC
<input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	<input type="checkbox"/> 345 MARINE PRODUCT LIABILITY	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 640 RR & TRUCK	<input type="checkbox"/> 460 DEPORTATION	
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY	<input type="checkbox"/> 350 OTHER PERSONAL INJURY	<input type="checkbox"/> 650 AIRLINE REGS	<input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT	
<input type="checkbox"/> 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	<input checked="" type="checkbox"/> 360 OTHER PERSONAL INJURY	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 660 OCCUPATIONAL SAFETY/HEALTH	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS		<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> 690 OTHER	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> 160 STOCKHOLDERS SUITS		<input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE	<input type="checkbox"/> 700 LABOR	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> 810 SELECTIVE SERVICE
<input type="checkbox"/> 190 OTHER CONTRACT		<input type="checkbox"/> 385 PROPERTY DAMAGE PRODUCT LIABILITY	<input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT	<input type="checkbox"/> 861 MIA (1395FF)	<input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE
<input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY			<input type="checkbox"/> 720 LABOR/MGMT RELATIONS	<input type="checkbox"/> 862 BLACK LUNG (923)	<input type="checkbox"/> 875 CUSTOMER CHALLENGE
<input type="checkbox"/> 196 FRANCHISE			<input type="checkbox"/> 730 LABOR/MGMT REPORTING & DISCLOSURE ACT	<input type="checkbox"/> 863 OILWC (405(g))	<input type="checkbox"/> 884 12 USC 8410
	ACTIONS UNDER STATUTES		<input type="checkbox"/> 740 RAILWAY LABOR ACT	<input type="checkbox"/> 864 SSID TITLE XVI	<input type="checkbox"/> 891 AGRICULTURE ACTS
			<input type="checkbox"/> 750 OTHER LABOR	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 892 ECONOMIC STABILIZATION ACT
			<input type="checkbox"/> 760 LITIGATION	<input type="checkbox"/> 870 TAXES	<input type="checkbox"/> 893 ENVIRONMENTAL MATTERS
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 791 EMPL. RET INC SECURITY ACT	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> 894 ENERGY
				<input type="checkbox"/> 20 USC 7609	<input type="checkbox"/> 895 ALLOCATION ACT
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE			<input type="checkbox"/> 896 FREEDOM OF INFORMATION ACT
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> 520 28 USC 2255			<input type="checkbox"/> 900 APPEAL OF FEE DETERMINATION
<input type="checkbox"/> 230 RENT LEASE & EJECTMENT	<input type="checkbox"/> 443 HOUSING ACCOMMODATIONS	<input type="checkbox"/> 530 HABEAS CORPUS			<input type="checkbox"/> 905 UNDER EQUAL ACCESS TO JUSTICE
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 444 WELFARE	<input type="checkbox"/> 535 DEATH PENALTY			<input type="checkbox"/> 950 CONSTITUTIONALITY OF STATE STATUTES
<input type="checkbox"/> 246 TORT PRODUCT LIABILITY	<input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	<input type="checkbox"/> 540 MANDAMUS & OTHER			<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS
<input type="checkbox"/> 290 ALL OTHER REAL PROPERTY	<input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER	<input type="checkbox"/> 550 CIVIL RIGHTS			
	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS	<input type="checkbox"/> 555 PRISON CONDITION			

*Check if demanded in complaint:*

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ 1.3 billion OTHER

JUDGE DOCKET NUMBER

Check YES only if demanded in complaint  
JURY DEMAND:  YES  NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

## ORIGIN

1 Original Proceeding       2a. Removed from State Court       3 Remanded from Appellate Court       4 Reinstated or Reopened       5 Transferred from (Specify District)       6 Multidistrict Litigation       7 Appeal to District Judge from Magistrate Judge Judgment

2b. Removed from State Court  
AND at least one party is a pro se litigant

(PLACE AN X IN ONE BOX ONLY)

## BASIS OF JURISDICTION

1 U.S. PLAINTIFF       2 U.S. DEFENDANT       3 FEDERAL QUESTION       4 DIVERSITY  
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1332, 1441)

## CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 13	DEF <input checked="" type="checkbox"/> 3	INCORPORATED <u>or</u> PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 15	DEF <input type="checkbox"/> 15
CITIZEN OF ANOTHER STATE	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	INCORPORATED <u>or</u> PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 14	<input type="checkbox"/> 14	FOREIGN NATION	<input type="checkbox"/> 16	<input type="checkbox"/> 16

## PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Lilan Li, at Xizhimen Nanda Street, Beijing, China

Lydia Leung, at 126 Lafayette St., #2F, New York NY 10013

## DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

1 Time Warner Center, New York, New York

## DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  FOLEY SQUARE  
(DO NOT check either box if this a PRISONER PETITION.)

DATE April 17, 2008 SIGNATURE OF ATTORNEY OF RECORD  
RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT  
[ ] NO  
[x] YES (DATE ADMITTED Mo. Yr. 2008)  
Attorney Bar Code # MH 8849

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

J Michael McMahon, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
LI LAN LI and LYDIA LEUNG as  
representatives of all people similarly  
situated,

Index No.

Plaintiff,

- against -

**COMPLAINT**

CABLE NEWS NETWORK a/k/a CNN, TURNER  
BROADCASTING SYSTEM, INC. and JACK CAFFERTY.

Defendants.

-----X

Plaintiffs, LI LAN LI and LYDIA LEUNG, by its attorneys LAW OFFICE OF  
MING HAI, P.C., complaining of the Defendants, alleges upon information and belief as  
follows:

**THE PARTIES**

1. Plaintiff LI LAN LI is a citizen and resident of Beijing, China.
2. Plaintiff LYDIA LEUNG is a citizen and resident of New York with an address at 126 Lafayette Street, #2F, New York, New York 10013.
3. Based on information and belief, Defendant CABLE NEWS NETWORK a/k/a CNN, is located in Atlanta, Georgia. Upon information and belief, at all times hereinafter mentioned, Defendant CABLE NEWS NETWORK a/k/a CNN (hereinafter "CNN") is a foreign corporation registered in the State of Delaware, and is "authorized"

to do business in New York under New York State Business Corporation Law Section 1301 (a), 1304, 1306, thus subject to the general jurisdiction of this State.

4. Defendant CNN has engaged in business activities in the State of New York systematically, continuously and demonstrated a fair measure of permanence, with business locations and operations in following addresses of this State: 1 Time Warner Center, Manhattan, New York. Defendant is thus subject to the general jurisdiction of this State under New York State CPLR 301 and Federal Law.

5. Defendant CNN is authorized to do business in the State New York, has engaged in business activities systematically and consistently in the State of new York, with its place of business at 1 Time Warner Center, Manhattan, New York.

6. Defendant TURNER BROADCASTING SYSTEM, INC. is a corporation duly registered in the State of Georgia. Upon information and belief, at all times hereinafter mentioned, Defendant TURNER BROADCASTING SYSTEM, INC. (hereinafter "TURNER") has engaged in business activities in the State of New York systematically, continuously and demonstrated a fair measure of permanence, with business locations and operations in following addresses of this State: 1 Time Warner Center, Manhattan, New York. Defendant is thus subject to the general jurisdiction of this State under New York State CPLR 301 and Federal Law.

7. Defendant "TURNER" is authorized to do business in the State New York, has engaged in business activities systematically and consistently in the State of new York, with its place of business at 1 Time Warner Center, Manhattan, New York. Defendant "TURNER" has consented to the Jurisdiction of the State of New York, with a

designated Registered Agent for process service purpose as follows: C T Corporation System, 111 Eighty Ave., New York NY 10011.

8. Upon information and belief, TURNER owns CNN.

9. Defendant JACK CAFFERTY is an employee, agent, representative, officer of co-defendant TURNER and CNN. Upon information and belief, at all time hereinafter mentioned, Defendant JACK CAFFERTY (hereinafter "JACK"), through his employment with co-defendants, and individually, has engaged in business activities in the State of New York systematically, continuously and demonstrated a fair measure of permanence, with business locations and operations in following addresses of this State: 1 Time Warner Center, Manhattan, New York. Defendant is thus subject to the general jurisdiction of this State under New York State CPLR 301 and Federal Law.

10. Defendant JACK CAFFERTY, through his employment with co-defendants, is authorized to do business in the State New York, has engaged in business activities systematically and consistently in the State of new York, with its place of business at 1 Time Warner Center, Manhattan, New York. The amount in controversy exceeds \$75,000.00 as the underlying complaint seeks \$1,300,000,000.00 in damages for defamation and emotional distress.

#### JURISDICTION

11. This Court has subject matter jurisdiction due to diversity of citizenship and amounts in controversy in excess of \$75,000.00, exclusive of interest and costs, pursuant to 28 U.S.C. Section 1332.

12. Venue is proper in this district pursuant to 28 U.S.C. Section 1331

13. A controversy exists between the parties as to statements made by JACK as an agent/representative/employee/independent contractor/officer for Defendants CNN and TURNER during his normal working hours in which both Defendants CNN and TURNER ratified, against all people of Chinese ancestry.

14. The Plaintiffs have no adequate remedy at law.

**AS AND FOR A FIRST CAUSE OF ACTION**

15. Plaintiffs repeats and realleges each and every allegation contained in the paragraphs of the complaint numbered 1 through 10 as if fully set forth at length herein.

16. On or about April 9, 2008, Defendants without support therefore, published oral defamatory remarks to third parties world-wide.

17. That Defendants without support therefore, in a CNN Situation Room charged the Chinese people, private citizens, with an assault by saying the following: “[t]hey’re [Chinese] are basically the same bunch of goons and thugs they’ve been from the last 50 years.” Further, he called all Chinese products “junks”.

18. Above statements were repeatedly republished worldwide directly or indirectly by defendants or third parties.

19. That the statements written and published by Defendants were false, defamatory, malicious, slanderous and libelous.

20. Upon information and belief, at the time of the aforesaid publication, Defendants were motivated by actual malice in that Defendants knew the matters contained therein concerning Plaintiffs so published were false and untrue, or were published with reckless and wanton disregard of whether they were false and untrue.

21. Defendants acted in a grossly irresponsible and malicious manner by publishing said comments to third parties.

22. The statements published constitute slander per se and libel per se.

23. Plaintiffs, and the class they represent, enjoys and always has enjoyed an excellent reputation for hard work, honesty, integrity and competence in the world community in general and specifically.

24. In particular, plaintiffs are granted the opportunity to hold the 2008 Summer Olympic Game in the near future, to welcome athletes and honored guests, including statesmen and private citizens from world wide to their hometown for ceremony and celebration, for the first time in their 5000 years history.

25. As a result of the publications and acts of Defendants in connection therewith, Plaintiffs have been held to world public contempt, ridicule, disgrace and prejudice; has suffered great mental pain and anguish; and has been irreparably harmed in their good name and social standing, and has lost the esteem and respect of friends, acquaintances, and has lost business associates, business opportunities, and suffered irreparable damages in marketing their products in the world public generally.

26. Defendants knew or should have known that by publishing these statements, false and derogatory impression of Plaintiffs would be created in the minds of

the third parties, which would impugn and damage the reputation of Plaintiffs with colleagues, peers , business world and with the world community in general.

27. That by reason of the foregoing, Plaintiffs have suffered damages in the amount set forth below.

28. The amount of damages sought in this action exceeds the jurisdictional limit of all lower courts that would otherwise have jurisdiction.

**AS AND FOR A SECOND CAUSE OF ACTION**

29. Plaintiffs repeats and realleges each and every allegation contained in the paragraphs of the complaint numbered 1 through 27 as if fully set forth at length herein.

30. Defendants have intentionally published these statements, causing the said false and derogatory statements being repeated and broadcast world wide repeatedly, have refused to withdraw the false statement upon due demands, have refused to apologize for the intentional wrongful conduct as described.

31. As such, defendants have intentionally caused extreme emotional distresses on plaintiffs. Plaintiffs and members of plaintiffs' class have suffered agony, physical illness, loss of sleep, elevated anxiety, and worsened existing illness.

32. Plaintiffs have organized public demonstrations, protests, incurred time and money in efforts to clear their good name.

33. The amount of damages sought in this action exceeds the jurisdictional limit of all lower courts which would otherwise have jurisdiction.

AS AND FOR A THIRD CAUSE OF ACTION

34. Plaintiffs repeats and realleges each and every allegation contained in the paragraphs of the complaint numbered 1 through 32 as if fully set forth at length herein.

35. Defendants conducts are wanton, reckless, malicious and grossly negligent in that defendants have completely ignore the truth of the matter, have failed to investigate and verify the truth of the matter before making the false and derogatory statements.

36. Defendants' wrongful conducts occurred at a time that plaintiffs are granted the opportunity to hold the 2008 Summer Olympic Game in the near future, to welcome athletes and honored guests, including statesmen and private citizens from world wide to their hometown for ceremony and celebration, for the first time in their 5000 years history.

37. Defendants have recklessly and grossly negligent published these statements, causing the said false and derogatory statements being repeated and broadcast world wide repeatedly, have refused to withdraw the false statement upon due demands, have refused to apologize for the intentional wrongful conduct as described.

38. As such, defendants have intentionally caused extreme emotional distresses on plaintiffs. Plaintiffs and members of plaintiffs' class have suffered agony, physical illness, loss of sleep, elevated anxiety, and worsened existing illness.

39. Plaintiffs have organized public demonstrations, protests, incurred time and money in efforts to clear their good name.

40. The amount of damages sought in this action exceeds the jurisdictional limit of all lower courts which would otherwise have jurisdiction.

**AS AND FOR A FORTH CAUSE OF ACTION**

41. Plaintiffs repeats and realleges each and every allegation contained in the paragraphs of the complaint numbered 1 through 40 as if fully set forth at length herein.

42. Due to the nature of defendant's wrongful conduct and the resulted damages on plaintiffs good name, plaintiffs do not have adequate remedy at law.

43. Plaintiffs respectfully request an order from the court to compel defendants to withdraw the false statements publicly and issue an apology to plaintiffs publicly.

**WHEREFORE**, Plaintiffs demands judgment as follows:

- a) In regards to Plaintiffs' First Cause of Action, awarding the sum of \$1,300,000,000.00;
- b) In regards to Plaintiffs' Second Cause of Action, awarding the sum of \$1,300,000,000.00;
- c) In regards to Plaintiffs' Third Cause of Action, awarding the sum of \$1,300,000,000.00;
- d) In regards to Plaintiffs' Forth Cause of Action, ordering defendants to withdraw the false statements publicly and issue an apology to plaintiffs publicly.
- e) Awarding costs and disbursements of this action;

f) Awarding reasonable attorneys fees; and  
g) Awarding such other and further relief as this Court deems just, proper  
and equitable.

Dated: April 18, 2008  
Flushing, New York

LAW OFFICE OF MING HAI, P.C.

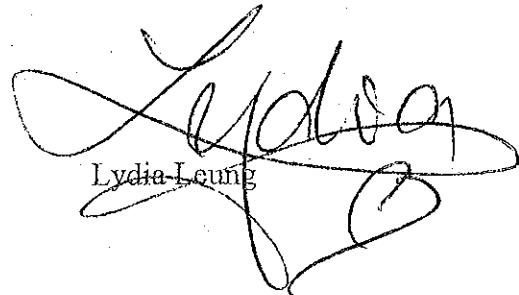
BY:   
MING HAI, Esq.  
36-09 Main Street, Suite 7B  
Flushing, New York 11354  
(718)-445-9111  
Attorney for Plaintiffs

VERIFICATION

STATE OF NEW YORK )  
ss.:  
COUNTY OF QUEENS )

Lydia Leung, being duly sworn, deposes and says:

I am the Plaintiff in this Action, and I have read and know the contents of the foregoing Verified Complaint. The Verified Complaint is true to my own knowledge, except as to matters alleged upon information and belief, and as to those matters I believe it to be true.



Lydia Leung

Sworn to before me this 22nd day APRIL, 2008



Don Chin  
Notary Public

Don Chin  
Notary Public, State of New York  
No. 01CH4679325  
Qualified in Queens County  
Commission Expires

9/30/2010

VERIFICATION

Ming Hai , the undersigned attorney-at-law duly admitted to practice law in the State of New York and the U.S. District Court Southern District of New York, affirms the followings:

I am the attorney the law firm of Law Office of Ming Hai, PC, counsel for plaintiffs in this Action, and I have read and know the contents of the foregoing VERIFIED COMPLAINT. The VERIFIED COMPLAINT is true to my own knowledge, except as to matters alleged upon information and belief, and as to those matters I believe it to be true.

The sources of my information and grounds of my belief as to all matters in the foregoing document not stated to be made upon my knowledge are as follows: correspondence and other documents furnished by client or others, interviews and phone calls with parties and /or their employees , general investigation of the facts.

This verification is made by me because my client Lilan Li is located in a country different from the country and State where my office is.



Ming Hai